

Located on 125 wooded acres in beautiful Malvern, PA, St. Joseph's-in-the-Hills is owned and operated by the Laymen's Retreat League and is the United States' oldest and largest lay-owned retreat center. Since its gates first opened 75 years ago, more than one million people—individuals of every race, creed, and walk of life—have visited St. Joseph's-in-the-Hills.

With its peaceful and serene woodland shrines, St. Joseph's-in-the-Hills, or Malvern as the retreat house is commonly called, provides a unique atmosphere for spiritual reflection. At a time when an increasing number of Americans are seeking moral guidance, St. Joseph's-in-the-Hills is providing and important service, helping people to renew and strengthen themselves spiritually. This year, more than twenty thousand people will visit Malvern and I know that in the future the Laymen's Retreat League will continue to expand its mission for the American people.

Mr. Speaker, I ask my colleagues to join me the congratulating the Laymen's Retreat League as they mark the 75th anniversary of St. Joseph's-in-the-Hills and in extending this fine organization our best wishes for another successful 75 years.

#### TRIBUTE TO MR. RAFER JOHNSON

##### HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 13, 1997*

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to Mr. Rafer Johnson, who is being honored by the Namasté Interfaith Center.

The Namasté Award was created to honor those individuals who have contributed to improving the human condition and uplifting the human spirit. I cannot think of an individual more deserving of this recognition than Rafer Johnson.

Throughout his life, Rafer's motto has been "to be the best that you can be." In 1960, he won the gold medal in the decathlon at the Olympic games in Rome. Building on that success, he has served as the president of the board of directors of the California Special Olympics for almost 10 years and is currently the chairman of the board of governors. Rafer is also the national head coach for Special Olympics International, which is headquartered in Washington, DC. He works as sports announcer, actor, and commercial and public spokesperson, and serves on a variety of special boards and committees for community service organizations.

However, I think it is Rafer's compassion and dedication to aspiring young athletes that is his greatest contribution to our community. Senator Robert Kennedy once said, "Every time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope . . . and crossing each other from a million different centers of energy and daring those ripples build a current that can sweep down the mightiest walls of oppression." For three decades, Rafer has been working with mentally and physically handicapped children and adults. He helped to start the California Special Olympics and has played a vital role in ensuring its success. As a program which began with only a few participants competing

in two sports, it has evolved to include thousands of competitors in 20 sports. This event has helped assuage the prejudice faced by disabled individuals throughout our community.

Rafer inspires in others the courage to pursue their dreams, and is a living example of how one individual can positively influence the lives of hundreds. Though a world renowned athlete and champion, Rafer Johnson has shown us that winning isn't everything; rather, the important thing is the way in which you choose to live your life and how you can positively impact the lives of others.

Mr. Speaker, distinguished colleagues, please join me in honoring Rafer Johnson. He is truly a role model for our community.

#### HONORING RABBI NORTON AND BAILA SHARGEL

##### HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 13, 1997*

Mrs. LOWEY. Mr. Speaker, I rise today to pay tribute to my dear friends, Rabbi Norton and Baila Shargel, the spiritual leaders of the Jewish Community Center of Harrison, NY.

On December 7, the extended family of JCC of Harrison will host a gala brunch honoring Rabbi and Mrs. Shargel and benefiting the Jewish Theological Seminary of America. It is entirely fitting that the Shargels and the seminary be recognized together for their shared values and for their profound contribution to the Jewish community.

I have had the great pleasure of knowing Rabbi and Mrs. Shargel since moving to Westchester County and joining their congregation more than a decade ago. But their inspiring leadership predates our acquaintance. Indeed, for 25 years, the Shargels have enriched Harrison with their thoughtful philosophical insights and immense personal warmth.

Rabbi and Mrs. Shargel are pillars of the community. They are as giving of their time and effort to broad and numerous causes as they are quick with wise counsel for the members of their temple. Their activities evidence a deep commitment to humanitarian ideals and to the spirit of compassion and generosity at the very heart of Jewish teaching.

The Shargels' commitment to the Jewish Theological Seminary is every bit as powerful. Indeed, JCC of Harrison has spearheaded several events of great importance to the seminary, including the seminary's conferring of the Herbert Lehman Award, a special occasion for leaders of Judaism's conservative movement.

Personally, I have always valued the advance and spiritual guidance of the rabbi and his wife. I hope and believe that their example has made me a better public servant.

Rabbi and Mrs. Shargel honor us with their deeds and their work. I am delighted that JCC of Harrison has chosen to celebrate this wonderful couple and so pleased to record my admiration in this record of the Congress of the United States of America.

#### GRATITUDE TO PHIL SWAFFORD

##### HON. VAN HILLEARY

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 13, 1997*

Mr. HILLEARY. Mr. Speaker, I rise today in U.S. House of Representatives in solemn gratitude for the life of my friend, Phil Swafford.

I have known Phil all of my life. To say that he will be missed by us all does not begin to adequately describe our feelings toward this man. Phil was everything a person is supposed to be. He was a loving and devoted son, husband, and father. He was a Christian gentleman who spread his sense of humor and good nature everywhere he went.

His pleasant personality was infectious, and he consequently had more people who considered him a friend than anyone I know. He was the type of person who, in my opinion, still makes our county the greatest in the world.

He was blessed by the Good Lord with two loving and intelligent parents, who, simply put, raised their boys right. Phil, in turn, as a grown man, gave generously to himself to his church, his family, and his community. Phil was a fun person to be around. All of us who knew him grieve at his death, but rejoice in his life.

Thank you, Phil, for being the type of person you were, and thank you Lord for letting Phillip Swafford's life on this Earth be a part of ours as well.

#### PROTECTING THE VIABILITY OF MONTANA'S FAMILY FARMERS

##### HON. RICK HILL

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 13, 1997*

Mr. HILL. Mr. Speaker, I rise today to introduce much-needed legislation which will help preserve over 2,000 family farms in the Mission, Jacko, and Cama Valleys in Montana and provide for better government accountability. It also does not interfere with existing water rights or native American sovereignty and continues longstanding initiatives to protect the environment.

The bill I introduce today accomplishes all of these important objectives by transferring the operation and maintenance of an irrigation project in Montana from the Federal Bureau of Indian Affairs to the local irrigators who have been the caring stewards of their lands and water for generations. This reflects prior public law commitments to local management of the Flathead Irrigation District. I am proud to have House Agriculture Committee Chairman BOB SMITH and House Resources Committee Chairman DON YOUNG as original cosponsors. Their longstanding experience on these issues underscores the need for this legislation.

This legislation aims to correct a serious problem that deserves a timely solution. For too long, the Bureau of Indian Affairs has poorly managed this project. Using current estimates, the project is in need of 15 to 20 million dollars' worth of repair and conditioning and those needs will continue to grow unless positive actions are taken. The consequences of mismanagement are not only undermining the project's viability, but are leading to unnecessarily high costs for all of its users. This is simply unacceptable.

Mr. Speaker, I will give you many vivid examples which illustrate why the current situation is not working. The Bureau of Indian Affairs pledged to local irrigators that it would set aside funding in 1994, 1995, and 1996 for repairs of a decaying siphon. This never happened. What was the result? The siphon failed at the end of 1996, halting water deliveries to 1,200 acres of cropland and causing damages in the tens of thousands of dollars in lost grain production. The siphon was then replaced with funds that were supposed to be spent on the Flathead River pumps, other project needs and emergency funds, creating an even greater economic problem. Mr. Speaker, here are other examples:

Examples of Bureau of Indian Affairs mismanagement at the Flathead Irrigation Project included:

First, the Flathead Irrigation Project has regularly overtopped a canal running through a Ronan farm, preventing several acres of potatoes from being harvested. This is a recurring problem that cost the farm \$4,000 to \$5,000 per year. In addition, the canal has washed out twice in the past 5 years, transporting water through the farm to other irrigators.

Second, the Flathead Irrigation Project has regularly flooded several acres of an alfalfa field in Ronan, leading to \$3,000 to \$4,000 of damage per year for the past several years. The landowner has repeatedly asked for corrective action, but to no avail.

Third, a farmer from St. Ignatius has been complaining about water overflows from project ditches for the past 4 years. Poor water management by the irrigation project causes hayfield to be flooded, resulting in \$2,000 to \$3,000 of crop loss each year.

Fourth, another St. Ignatius farmer allows the irrigation project to exercise a right of way to access the headworks of a project canal. The irrigation project has failed to secure the gates through the right of way and the farmer has had trash dumped on his property.

Fifth, a rancher from Arlee pastures registered Charlois cattle throughout the Mission Valley. In the farmer's pasture near Pablo, a BIA irrigation project employee was observed driving out of a gate with six registered herd bulls in the pasture. The gate led to Highway 93, one of the most heavily traveled roads in the State of Montana. Quick action from a passer-by prevented a potential tragedy when the gate was secured by the passerby.

Sixth, a farmer-rancher from Hot Springs notified BIA of a ditch overtopping on his ranch. After being ignored by BIA, the farmer notified an irrigation district commissioner who attempted to intervene on the farmers behalf with BIA. The district commissioner call was also ignored until the ditch failed, damaging the farmer's crops and causing extensive damage to his land.

Seventh, Little Bitterroot Reservoir, May and June 1997. At the peak of the runoff, 4,000 acre-feet of water was dumped into an already flooded swollen river. The stored water was lost to irrigators. Downstream ranchers sustained loss of fields due to floods.

Eighth, a rancher from Ronan filed complaints in June, July, and September 1997 of having land flooded by BIA dumping water onto his land. To date BIA has not responded. The rancher has lost access to his corrals and has had pastures flooded.

Ninth, Pablo Feeder Canal, 1991. A washout of the Pablo Feeder Canal led to breach

nearly 300 feet long, dumping 350 cubic feet per second of water, along with 18 inches of gravel and sand on 20 acres of prime to potato land. No settlement is planned by BIA. No ditch rider had been assigned to patrol this section ditch and surveillance was minimal, despite known geologic problems in the area. A farmer has lost the use of 20 acres of land at a value of \$2 to \$3 thousand per acre.

10. BIA's failure to control weeds on ditchbanks led to a local association of farmers and ranchers to approach BIA with a cooperative weed control plan, allowing individual farmer and ranchers to spray for weeds along the ditch banks of their own property. BIA initially pledged cooperation and then ignored the problem, which was first identified in 1994, for the next 3 years. This has led to an increase in weed infestations in the area and finally forced the local farmers and ranchers to simply address the problems of BIA's ditchbanks unilaterally.

Finally water shutoff. Despite being unable to provide any accounting of money, BIA unilaterally shutoff water deliveries to all non-tribal irrigators on the Flathead Irrigation Project in May 1997. Service was shut off over an alleged nonpayment of a BIA billing and was subsequently restored, with BIA admitting that it has not provide an accurate billing, or an accurate accounting of irrigator funds.

High cost due to mismanagement are also not fair, considering the serious economic pressures Montana's family farmers and ranchers now face. This legislation will help eliminate high and unfair costs that continue to compromise the financial stakes of hard-working farmers and ranchers.

Responsible local management of this irrigation project would provide for lower costs and increased accountability of the money collected by and used in the operation of the Flathead Irrigation Project. At the current time the BIA is unable, or unwilling, to provide basic financial information to the local irrigation district. This despite the fact that the local farmers and ranchers pay 100 percent of the costs to operate and maintain the project. At the same, the current management cannot even deliver a year-end balance of funds paid by the local irrigation users.

Local management will also will generate savings over the current management. These savings could be used to restore the Flathead Irrigation Project to a fully functioning, efficiently operating unit. Without this legislation, residents face an uncertain future. This irrigation project is located in one of the most beautiful valleys in western Montana. Preservation of family farms and ranches in the Mission, Jocko, and Camas, valleys in Montana is dependent upon local management, which will provide an opportunity to control the costs associated with the operation of this vital water source.

This bill gives local citizens the opportunity to control their futures. It also keeps the commitments of the past by continuing to allow for the negotiation of water rights between the Federal Government, the State of Montana, and the affected tribes and does not infringe upon tribal sovereignty.

Mr. Speaker, I am proud to introduce this measure today with the support of my colleagues and locally elected officials, and I look forward to moving this bill forward on behalf of those communities which depend on the Flathead Irrigation Project for their way of living.

H.R. 2292, THE INTERNAL REVENUE SERVICE RESTRUCTURING AND REFORM ACT

**HON. BILL ARCHER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 13, 1997*

Mr. ARCHER. Mr. Speaker, as the first session of the 105th Congress draws to a close, I rise to underscore my personal resolve and that of the Ways and Means Committee to complete work on needed reforms to the Internal Revenue Service when Congress reconvenes next year.

Mr. Speaker, I have long advocated fundamental tax reform. Our tax system must be more fair, more simple, and permit the working families of America to keep more of their hard-earned money. Yet the Internal Revenue Code is too complex, too unwieldy, and too great an impediment to savings and investment. In short, the Internal Revenue Code is too broken to be fixed. The current tax system must be torn up by its roots and replaced. I am fully committed to carrying forward the critical work of fundamental tax reform, and hope to continue work towards that goal in the second session of the 105th Congress.

In short, Mr. Speaker, America needs fundamental tax reform. However, I also wish to emphasize that there is much we can do more immediately to remedy some of the problems that now exist in our tax system. Towards that end, I am particularly proud of the work this House and the Ways and Means Committee have done on H.R. 2292, The Internal Revenue Service Restructuring and Reform Act.

Mr. Speaker, the purpose of H.R. 2292 is to implement the recommendations of IRS Restructuring Commission chaired by Representative PORTMAN and Senator KERREY and to make sure that the IRS applies the tax laws of our country in a fair, equitable, and consistent manner.

In fact, current law and sound tax policy require as much: For example, the IRS should not abuse its powers to seize property or its rule making authority; the IRS generally may not impose retroactive regulations; and the IRS should apply the tax laws in a consistent and reasonable manner, both among competitors and with respect to specific taxpayers from one year to the next. However, as was made clear in recent hearings by the House Ways and Means Committee and the Senate Finance Committee, the IRS often has failed to honor its duty to serve the taxpayer. H.R. 2292 builds on the procedural and administrative safeguards enacted as part of the taxpayers bill of rights I and the taxpayer bill of rights II to help ensure that the IRS faithfully carries out its duties to American taxpayers.

Mr. Speaker, the IRS should act in a fair, equitable, and consistent manner simply because its right. Yet doing so also serves to promote sound tax policy. For example, failure to apply the tax laws consistently, like retroactive changes in the tax laws, undermines public faith in the system. If the IRS applies the laws differently among competitors, or changes the way it applies the law to taxpayers from year to year, those actions violate the duty of consistency the IRS owes to taxpayers and erodes taxpayers' trust in the system. That loss of confidence, in turn, discourages taxpayer compliance and makes administration of the Tax Code more difficult.